

**NEVADA HEALTH INFORMATION EXCHANGE BOARD OF DIRECTORS (NV-HIE)  
MEETING MINUTES**

**January 24, 2014  
2:00 pm**

**Department of Employment,  
Training  
and Rehabilitation  
500 E. Third St.  
Carson City, NV**

**Department of Employment,  
Training  
and Rehabilitation  
2800 East St. Louis Avenue  
Las Vegas, NV**

**BOARD MEMBERS PRESENT**

*Carson City*

Elizabeth "Betsy" Aiello, Vice Chair  
Andrew "Andy" Pasternak IV, MD  
Lindsey Harmon, Secretary  
David LaBarge, NV-HIE CEO, Ex officio  
Lynn O'Mara, State Health IT Coordinator, Ex officio  
Amber Joiner, DHHS (Department of Health and Human Services)  
Deputy Director, Ex officio  
Michael Willden, DHHS Director, Ex officio

*Las Vegas*

Brian Labus, Chair

*Via Telephone:*

Eric Lloyd  
Linda Montgomery, Treasurer  
Mary Siero

**NV-HIE STAFF PRESENT:**

*Carson City*

Jane Holman, NV-HIE Director of Marketing & Communications  
Sherry Hayden, NV-HIE Director of Finance & Operations  
Hope Tingle, NV-HIE staff

*Via Telephone*

Carolyn Cramer, NV-HIE Legal Counsel  
Chris Henkenius, NV-HIE HIE Consultant  
Mary Kasal, NV-HIE HIE Consultant

**DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) STAFF PRESENT**

Stefani Hogan, OHIT

## **OTHERS PRESENT**

### **Via Telephone:**

Loren Ellery, Indian Health Services  
Dana Edberg, UNR (University Nevada Reno)  
Tony Perrata, Orion Health  
Tristan Van Horne, Orion Health  
Chad Anderson, UNR  
Jeanne Wendell, UNR  
Amanda Harris, Nevada Health Division  
Eric Maddox, HealthInsight  
Janice Breland, UNR  
Keith Parker, HealthInsight  
Deborah Huber, HealthInsight

### **Las Vegas:**

### **Carson City:**

Joan Hall, NRHP (Nevada Rural Hospital Partners)  
Kim West, Quantum Mark  
Leonard Hamer, Physician Select Management  
Grayson Wilt, NSMA (Nevada State Medical Association)

## **1. Call to order, roll call, determination of a quorum and announcements**

Mr. Labus called the meeting to order at 2:01 pm. Ms. Tingle called the roll, and informed Mr. Labus that a quorum was present.

## **2. Public comment**

There was none.

## **3. Discuss and decide on the future course of the NV-HIE**

Mr. LaBarge began his presentation by thanking each of the board members for their service on the board. Based on last week's meeting and direction received from the Board, Mr. LaBarge addressed the three items he was requested to bring back to the board at this meeting. The three items are: the Sustainability Plan; the Orion Health contract; provide clarity around the other sources of funding. Mr. LaBarge reviewed a list of assumptions made that would have a direct impact on the three items above. Ms. Hayden reviewed the two graphs and the revenue projections provided in the meeting materials. Ms. Aiello and Ms. Harmon asked for some clarification about the change in the payment structure and the continued risk to the board members if NV-HIE was no longer in business. Dr. Pasternak asked for a Go-Live timeframe. Ms. Holman advised we could Go-Live with a data exchange today, if we had a provider on contract.



Ms. Holman reviewed the Marketing Strategy NV-HIE would employ in order to support the Sustainability Plan, and that there is a potential to realize \$1.1 million in HIE revenues by the end of December 2014. Those revenues would be offset by approximately \$67,000 in monthly operating expenses. Mr. Lloyd voiced his appreciation for Ms. Holman's enthusiasm, and wondered why now? Was it because of conversations or commitments we have from potential clients? Ms. Holman explained of the thirteen targeted hospital on our list, we are in conversations with five of them, and three have been offered QOs (Qualified Organization). There are seven primary care facilities targeted and we are speaking with five of the seven. There are two labs targeted and one has already signed a Letter of Intent. We have a proposal out to one Public Entity and presented them with a QO opportunity. There was additional conversation related to the change in fee structure and the results anticipated as an effect of the changes.

There was discussion regarding the length of time it would take to implement the interface with various providers. Ms. O'Mara indicated the ONC is doing what they can do to get the EHR (Electronic Health Record) vendors on board as it appears the problems with implementing the interface stems from problems with the EHR side not the HIE (Health Information Exchange) side. Ms. Kasal suggested some strategies which can gain success such as developing partnerships with the EMR (Electronic Medical Record) vendors, which she has seen work in the past. After additional discussion, Dr. Pasternak stated that Northern Nevada providers are more likely to use HealthIE Nevada, and that they (HealthIE Nevada) are only now up to 10 hospitals. Ms. Aiello is concerned that she is not getting all of the data she needs to make a decision. Ms. Holman indicated we understand that we are "late to the party" but that we have lost a lot of traction in the marketplace because of the uncertainty of our future. Ms. Aiello voiced that in any other entity, the information is more accessible, and Dr. Pasternak agrees that the OML (Open Meeting Law) has hampered the NV-HIE development.

Dr. Pasternak, after reviewing the minutes from past meetings, stated that we have not yet met a timeline. Mr. LaBarge indicated we had met the RFP (Request for Proposal) timeline. Dr. Pasternak continued that the board knew the timeline was aggressive and that HealthIE was not hampered by the Open Meeting Law requirements. Ms. Holman agreed that our plan is very aggressive and that all we need it a little more time to see it to completion. Ms. Holman also asked if there was any discussion about reaching out to our congressional delegation to intercede with the ONC for potential relief. Mr. Willden indicated he had not made any contact with Harry Reid's office.

Discussion continued regarding the additional grant funding being offered by DHHS. Mr. Willden reviewed those potential grants. After continued discussion, Ms. Montgomery stated that it comes back to board liability. Mr. LaBarge summarized that the Self-Sustainability Plan is aggressive, and with the re-negotiation of the Orion Contract, along with the additional grant funding from DHHS, we would be able to meet our goal of becoming self-sustaining. Mr. Lloyd asked what our obligation would be to ONC if we don't go forward. Ms. O'Mara said we would not have to repay what we have already spent, but that DHHS would still have to come up with the match. What is left of the grant would be returned to ONC. Ms. Harmon asked how much the match is right now, to which Ms. O'Mara replied it is currently at around \$1 million. DHHS



has approximately \$400,000 in in-kind donations, which leaves a balance of approximately \$600,000 still needed to meet the match requirement.

Dr. Pasternak asked what our current liabilities are. We owe \$286,750 to Orion Health; rent deposits; staff salaries and vacation pay; utilities; our IT support vendor. Mr. LaBarge did indicate there is a fund-out clause in the contract with Orion Health. Ms. Cramer offered that there is a fund out clause in that agreement as well as the lease agreement and the employment contracts. Ms. Montgomery indicated the issues with the previous Orion invoices have been resolved and that she has sent the checks back to NV-HIE with her signatures.

More discussion ensued related to current contracts with UNR and NNDA (Northern Nevada Development Authority) and would they be paid out of current grant funds. Ms. O'Mara indicated DHHS has 90 days to finalize everything. Dr. Pasternak made a motion to cease operations of the NV-HIE at the end of the grant period. Additional discussion ensued in which Mr. Lloyd asked that the board contemplate the decision as we are finally moving forward. He would like to try and make this work, although he is concerned about the liability the state would incur. Ms. Siero agreed and is ready to call for a vote. Mr. Labus asked for a second on Dr. Pasternak's motion. Ms. Aiello seconded the motion at which time Mr. Labus asked for a voice vote which went as follows:

Dr. Pasternak	-	voted for ceasing operations of the NV-HIE
Ms. Aiello	-	voted for ceasing operations of the NV-HIE
Ms. Harmon	-	voted against ceasing operations of the NV-HIE
Mr. Lloyd	-	voted against ceasing operations of the NV-HIE
Ms. Montgomery	-	voted for ceasing operations of the NV-HIE
Ms. Siero	-	voted for ceasing operations of the NV-HIE

**MOTION: Dr. Pasternak made a motion to cease operations of the NV-HIE at the end of the grant period which is February 7, 2014.**

**SECOND: Ms. Aiello**

**APPROVED: passed with four votes for ceasing operations and two votes against ceasing operations.**

#### **4. Public Comment #2**

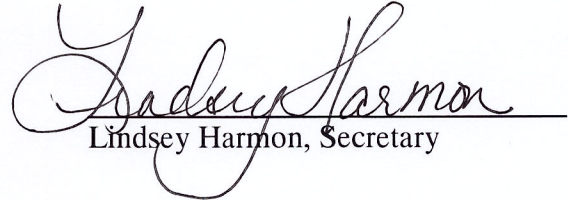
Ms. Holman asked to be released from the non-compete clause in her contract. Ms. Cramer indicated this needed to be an agenda item on the next board agenda. Ms. Cramer reminded those present that this was the public comment period and not a time for idle chit chat.

#### **5. Adjournment**

Mr. Labus adjourned the meeting at 3:59 pm.

**CERTIFICATE OF SECRETARY**

I, Lindsey Harmon the undersigned, the duly elected and acting Secretary of the NEVADA HEALTH INFORMATION EXCHANGE (A Nevada Non-Profit Corporation), do hereby certify that the foregoing Meeting Minutes of said Corporation are a true and correct reflection of the Board of Director's Meeting held on the 24 day of January, 2014.

  
Lindsey Harmon, Secretary